



- IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: OTTE ET AL. Examiner: UNKNOWN  
Serial No.: 10/685,768 Group Art Unit: 3738  
Filed: OCTOBER 14, 2003 Docket: 6683.76US01  
Confirmation No.: 6334  
Title: INSTRUMENTS FOR USE WITH IMPLANTS, AND METHODS

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 5, 2004.

By: 

Name: 

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

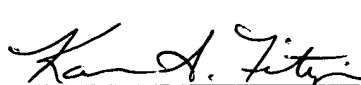
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 2 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By:   
Name: Karen A. Fitzsimmons  
Reg. No.: 50,470  
KFitzsimmons:PLStov



10/685,768

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	OTTE ET AL.	Examiner:	UNKNOWN
Serial No.:	10/685,768	Group Art Unit:	3738
Filed:	OCTOBER 14, 2003	Docket No.:	6683.76US01
Title:	INSTRUMENTS FOR USE WITH IMPLANTS, AND METHODS		

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By: 

Name: Tracy D. Vucich

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2)(i), copies of the U.S. patents and U.S. patent publications listed on the enclosed Form 1449 are not provided, as this application was filed after June 30, 2003. Copies of any foreign patent documents listed on the Form 1449 are enclosed, in accordance with 37 C.F.R. § 1.98(a)(2).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

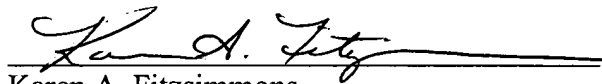
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: May 5, 2004

  
Karen A. Fitzsimmons  
Reg. No. 50,470  
KAF:PLStov



Date Mailed: May 5, 2004

Sheet 1 of 1

<b>FORM 1449*</b> <b>INFORMATION &amp; TRADEMARK STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 6683.76US01	Application Number: 10/685,768
	Applicant: OTTE ET AL.	
	Filing Date: 10/14/2003	Group Art Unit: 3738

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,782,830	07/21/1998	Farris			
	6,059,790	05/09/2000	Sand et al.			
	6,063,088	05/16/2000	Winslow			
	6,197,033 B1	03/06/2001	Haid, Jr. et al.			
	6,635,060 B2	10/21/2003	Hanson et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 02/065957 A2	08/29/2002	PCT				
	WO 02/098332 A1	12/12/2002	PCT				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


23552

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	